

13281 U.S. PTO
020404

Attorney Docket No.: 966927-20002D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney's Docket: 966927-20002D
(0273-0001)

22278 U.S. PTO
10/770467
020404

Prior Application:

Classification Number of Divisional:
Class 424, Subclass 230100

Status: Pending

Art Unit: 1648

Examiner: Foley, Shanon A.

SIR:

This is a request for filing a

[] Continuation [X] Divisional Application under 37 C.F.R. § 1.51(b) of pending prior application Serial No. **09/914,948** filed **September 06, 2001** of **PLATCHER, Bodo**, inventor for

Methods of Replicating Human Cytomegalovirus and Producing Viral Particles Therefrom.

1. [x] Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. **09/914,948** as originally filed on **September 06, 2001**.
2. [X] Cancel Claims **1-14, and 24**. Claims **15-23** are now pending in the Divisional. (At least one original independent claim has been retained for filing purposes.)
3. [X] A Preliminary Amendment is enclosed.
4. [X] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 above.

For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims:	7 -20=	0	x\$ 18.00=	\$0
Independent Claims:	3-3=	0	x\$ 86.00=	\$
Multiple Dependent Claim(s) (if applicable)			+\$290.00 =	
			Total =	\$770.00
			Reduction by ½ for filing by small entity:	\$385
			TOTAL FILING FEE =:	\$385.00

5. ☒ A check in the amount of **\$385.00** to cover the filing fee is enclosed.
6. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. **50-0622**.
7. ☒ Amend the specification by rewriting the first paragraph of the specification, as follows:

--This is a divisional of Application Serial No. 09/914,948, filed September 06, 2001, which claims priority to PCT/EP00/01794 filed March 02, 2000, which claims priority to German Patent Application No. 19910044.6 filed March 08, 1999. --

8. ☐ New formal drawings are enclosed.
9. ☐ The prior application is not assigned.
10. ☒ Priority of application .Serial No. 09/914,948, filed September 06, 2001, which claims priority to PCT/EP00/01794 filed March 02, 2000 is claimed under 35 U.S.C. § 119.
A certified copy

☐ is enclosed or ☒ is on file in the prior application.

11. ☒ Small entity status is claimed.
12. ☒ The power of attorney in the prior application is to at least one of the following: Mark R. Shanks, Reg. No. 33,781, Toni-Junell Herbert, Reg. No. 34,348.
13. ☒ The power appears in the original declaration of the prior application.
14. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15. ☒ Please address all correspondence to:

Reed Smith LLP
1301 K Street, N.W.
Suite 1100 – East Tower
Washington, D.C. 20005-3373

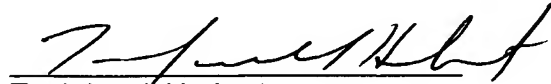
16. ☒ Recognize as associate attorneys: Christopher Aniedobe, Reg. No. 48,293; Tamara Yorita 53,813.
17. ☐ Also enclosed are two return postcards.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our

Deposit Account No. 50-0622. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,

REED SMITH LLP

A handwritten signature in black ink, appearing to read "Toni-June Herbert", written over a horizontal line.

Toni-June Herbert

Reg. No.: 34,348

Date: February 4, 2004

Reed Smith LLP
1301 K Street, N.W.
Suite 1100 – East Tower
Washington, D.C. 20005-3373

February 4, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Divisional Patent Application
Application Ser. No. To be Assigned; Filed: Herewith
For: Methods of Replicating Human Cytomegalovirus and
Producing Viral Particles Therefrom
Inventor: PLATCHER, Bodo: Art Unit: To be Assigned
Examiner: To be Assigned
Our Ref: 966927-20002D/0273-0001

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Divisional Patent Application Cover Letter;
2. Copy of Patent Application consisting of (29) pages of specification; 5 pages of claims; 1 page of abstract; and 8 pages of drawings (7 Figures and 1 Table);
3. Combined Declaration and Power of Attorney;
4. Preliminary Amendment;
5. Check No. 303152 in the amount of \$385.00; and
6. Two (2) return postcards.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,
REED SMITH LLP



Toni-Junell Herbert
Reg. No. 34,348